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10/082,173	02/26/2002	Seung-Kyu Pack	1293.1303	2400

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EXAMINER

WENDMAGEGN, GIRUMSEW

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/082,173

Applicant(s)

PAEK, SEUNG-KYU

Examiner

Girumsew Wendmagegn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 12-15, 29 and 37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-15, 29 and 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 08/12/2003; 6/29/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 6, 7 and 29 is rejected under 35 U.S.C. 102(e) as being anticipated by Lewis et al (Patent Number US 6,694,090).

Regarding claim 6, Lewis teaches an apparatus for controlling levels for restricting a reproduction of a video by a video reproducing system so as to restrict viewing of a part or all of the video depending on a user's age, comprising: a memory which stores passwords corresponding to the levels (see figure 2 element 40); and a controller which outputs a window to check an input password against the passwords in the memory prior to a reproduction mode, reads information including the levels corresponding to the input password to determine a viewing level from the memory, and controls the reproduction of the video according to the viewing level (see figure 2 element 40), wherein the viewing level determined is reset to a default viewing level in response to turning the video reproduction system off, and the default viewing level is one of a

lowest age level set by an authorized user and a default age level set by a manufacturer of the video reproducing system(see column7 line 23-27).

Regarding claim7, the apparatus of claim6, wherein the video reproduction system is a digital video disc (DVD) system, and the levels for restricting the reproduction of the video are parental levels in the DVD system (see figure2).

Regarding claim29, Lewis anticipates an apparatus for controlling levels for restricting a reproduction of a video by a video reproducing system so as to restrict viewing of a part or all of the video, comprising: a memory which stores data including one or more passwords corresponding to the levels so as to control viewing of the video (see figure2 element 40); and a controller which determines a viewing level prior to reproduction of the video, controls the reproduction of the video according to the viewing level and resets the viewing level to a default viewing level in response to one of turning the video reproducing system off, the passage of a predetermined wait period and terminating the reproduction of the video(see column7 line 23-27), wherein the controller verifies an input password against the one or more passwords stored in the memory and determines the viewing level as a level highest among all of the levels corresponding to the input password in response to the input password being consistent with the one or more passwords, and otherwise the controller automatically determines the viewing level as the default viewing level(see column7 line 7-15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 and 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al (Patent Number US 6,694,090) as applied to claim 6, 7 and 29 above and further in view of Oh et al (Patent Number US 6,430,360).

Regarding claim 8, see the teaching of Lewis et al above. Lewis does not teach the apparatus of claim 6, wherein the controller determines the viewing level as a lowest age level in response to the input password not matching the passwords. However Oh et al teaches the controller determines the viewing level as a lowest age level in response to the input password not matching the passwords (see figure 5 s500, s700 and s900).

One of ordinary skill in the art at the time the invention was made would have been motivated to determine the viewing level as a lowest age level when password not

match as in Oh et al in to Lewis et al apparatus because it would not allow to have more chance to guess the right password.

Regarding claim9, see the teaching of Lewis above. Lewis does not teach the apparatus of claim 6, wherein the controller determines the viewing level as an upper level in response to the input password matching more than one of the passwords corresponding to the levels, wherein the upper level is a highest age level among all age levels of the levels corresponding to the input password. However Oh et al teaches the controller determines the viewing level as an upper level in response to the input password matching more than one of the passwords corresponding to the levels, wherein the upper level is a highest age level among all age levels of the levels corresponding to the input password (see figure5 s820, s830 and s920).

One of ordinary skill in the art at the time the invention was made would have been motivated to determine the viewing level as an upper level as described in Oh et al in to Lewis et al apparatus because it would allow parents (highest age) to have more control.

Therefore, the invention as a whole would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

Claim1-5, 12-15 and 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oh et al (Patent Number US 6,430,360) and Lewis et al (Patent Number US 6,694,090).

Regarding claim1, Oh et al teaches a method of controlling levels for restricting a reproduction of a video by a video reproducing system so as to restrict viewing of a part or all of the video depending on a user's age, the method comprising: setting passwords corresponding to the levels so as to control viewing of the video; checking an input password against the passwords prior to reproducing the video (see figure4 step s200 and s300); determining a viewing level including searching the levels corresponding to the input password(see figure4 step s500); reproducing the video according to the viewing level(see figure4 step s800); and setting initial conditions for controlling the levels including: designating a default viewing level to be used as the viewing level in response to one of an elapse of a predetermined wait period, entry of an incorrect input password and non- entry of the input password(see figure4 step s500, s700 and s900) but does not teach selecting the predetermined wait period used by the video reproduction system to convert the viewing level to the default viewing level in response to one of a termination of the reproduction of the video and turning the video reproduction system off. However Lewis et al teaches selecting the predetermined wait period used by the video reproduction system to convert the viewing level to the default viewing level in response to one of a termination of the reproduction of the video and turning the video reproduction system off (see column7 lines 23-28).

One of ordinary skill in the art at the time the invention was made would have been motivated to reset the viewing level to default level as described in Lewis et al in to Oh et al method because it would make parental control much more effective.

Regarding claim2, Oh et al teaches the method of claim1, wherein the video reproduction system is a digital video disc (DVD) system, and the levels for restricting the reproduction of the video are parental levels in the DVD system (see figure6).

Regarding claim3, Oh et al teaches the method of claim1, wherein the determining of the viewing level further comprises determining the viewing level as a lowest age level in response to the input password not matching the passwords corresponding to the levels (see column4 line 5-14).

Regarding claim4, Oh et al teaches the method of claim1, wherein the determining of the viewing level further comprises determining the viewing level as an upper level in response to the input password matching more than one of the passwords corresponding to the levels, wherein the upper level is a highest age level among all age levels of the levels corresponding to the input password (see figure5 steps s820, s830 and s910).

Regarding claim5, Lewis et al teaches the method of claim 1, wherein the viewing level determined is reset to a default viewing level in response to turning the

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video reproduction system off, wherein the default viewing level is one of a lowest age level set by an authorized user and a default age level set by a manufacturer of the video reproducing system⁹(see column⁷ lines 23-27).

Regarding claim¹², oh et al teaches the method of claim 1, wherein the setting of the passwords comprises, one or a combination of, designating each of the passwords to a corresponding one of the levels and designating one of the passwords to a plurality of the levels (see figure⁵ s820, s830 and s920).

Regarding claim¹³, the method of claim¹, wherein the reproducing of the video comprises: reading reproduction data from the video having a level which is the same or lower than the viewing level determined (see column² line 49-52); and reproducing the reproduction data having the same or lower level than the viewing level (see column² line 52-56).

Regarding claim¹⁴, Oh et al teaches the method of claim¹, wherein the determining of the viewing level further comprises determining the viewing level as a default viewing level in response to one of non-entry of the input password, elapse of a predetermined wait period and non-matching of the input password to the one or more passwords corresponding to the levels (see figure⁴ steps s500, s700 and s900).

Regarding claim15, Lewis teaches the method of claim 1, wherein the viewing level determined is reset to a default viewing level in response to one of turning the video reproducing system off and terminating the reproduction of the video (see column7 line23-27).

Regarding claim37, oh et al teaches a computer readable medium encoded with processing instructions for implementing a method of controlling levels for restricting a reproduction of a video so as to restrict viewing of a part or all of the video in a video reproduction system performed by a computer, the method comprising: receiving one or more passwords corresponding to the levels so as to control viewing of the video(see figure4 steps s200,s300 and s400); determining a viewing level prior to reproducing the video including verifying an input password against the one or more passwords set in the video reproducing system, wherein the viewing level is a level highest among all of the levels corresponding to the input password in response to the input password being consistent with the one or more passwords(see figure5 s500); and otherwise automatically determining the viewing as a default viewing level(see figure5 s500 and s900) but does not teach reproducing the video according to the viewing level, wherein the viewing level corresponding to the input password is reset to the default viewing level in response to one of turning the video reproducing system off, the passage of a predetermined wait period and terminating the reproduction of the video. However Lewis teaches teach reproducing the video according to the viewing level, wherein the viewing level corresponding to the input password is reset to the

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default viewing level in response to one of turning the video reproducing system off, the passage of a predetermined wait period and terminating the reproduction of the video (see column7 line 23-27).

One of ordinary skill in the art at the time the invention was made would have been motivated to reset the viewing level to default level as described in Lewis et al in to Oh et al method because it would make parental control much more effective.


Therefore, the invention as a whole would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmagegn whose telephone number is 571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, alr Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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